

House File 138 - Introduced

HOUSE FILE _____
BY WHITAKER

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to requirements for school districts providing
2 transportation to students participating in open enrollment.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 1699YH 83
5 kh/nh/5

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1 1 Section 1. Section 282.18, subsection 10, Code 2009, is
1 2 amended to read as follows:

1 3 10. a. Notwithstanding section 285.1 relating to
1 4 transportation of nonresident pupils, the parent or guardian
1 5 is responsible for transporting the pupil without

1 6 reimbursement to and from a point on a regular school bus

1 7 route of the receiving district. For purposes of this

1 8 subsection, "a point on a regular school bus route of the

1 9 receiving district" includes any school bus stop on the

1 10 regular school bus route of the receiving district that

1 11 existed prior to road construction that necessitates a change

1 12 in the regular school bus route, whether or not the change in

1 13 the regular school bus route resulting from the road

1 14 construction necessitates sending school vehicles from the

1 15 receiving district into the district of residence in order to

1 16 safely, economically, or efficiently transport students to or

1 17 from the preexisting point.

1 18 b. ~~However, a~~ A receiving district may send school

1 19 vehicles into the district of residence of the pupil using the

1 20 open enrollment option under this section, for the purpose of

1 21 transporting the pupil to and from school in the receiving

1 22 district, if the boards of both the sending and receiving

1 23 districts agree to this arrangement.

1 24 c. If the pupil meets the economic eligibility

1 25 requirements established by the department and state board of

1 26 education, the sending district is responsible for providing

1 27 transportation or paying the pro rata cost of the

1 28 transportation to a parent or guardian for transporting the

1 29 pupil to and from a point on a regular school bus route of a

1 30 contiguous receiving district unless the cost of providing

1 31 transportation or the pro rata cost of the transportation to a

1 32 parent or guardian exceeds the average transportation cost per

1 33 pupil transported for the previous school year in the

1 34 district. If the cost exceeds the average transportation cost

1 35 per pupil transported for the previous school year, the

2 1 sending district shall only be responsible for that average

2 2 per pupil amount. A sending district which provides

2 3 transportation for a pupil to a contiguous receiving district

2 4 under this subsection may withhold from the district cost per

2 5 pupil amount, that is to be paid to the receiving district, an

2 6 amount which represents the average or pro rata cost per pupil

2 7 for transportation, whichever is less.

2 8 EXPLANATION

2 9 This bill defines a point on a regular school bus route of

2 10 a receiving school district for purposes of transporting

2 11 students who are participating in open enrollment. The

2 12 definition provides that such a point includes any school bus

2 13 stop on the route that existed prior to road construction

2 14 which necessitates a change in the route, whether or not the

2 15 change to the route necessitates sending school vehicles from

2 16 the receiving district into the district of residence to

2 17 transport the students to or from the preexisting point on the

2 18 route safely, economically, or efficiently.

2 19 Currently, the receiving school district can only send

2 20 vehicles into the district of residence for purposes of

2 21 transporting students participating in open enrollment if both
2 22 school districts agree to the arrangement.
2 23 LSB 1699YH 83
2 24 kh/nh/5